

09-05-07

PTO/SB/30 (08/00)

Approved for use through 10/31/2002. OMB 0651-0021  
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SEP 04 2007

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RCE/ST

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

**Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for continued examination of a utility or plant application filed on or after June 8, 1995.**

See The American Inventors Protection Act of 1999 (AIPA).

<i>Application Number</i>	09/700,140
<i>Filing Date</i>	February 5, 2007
<i>First Named Inventor</i>	Tetsujiro Kondo et al.
<i>Group Art Unit</i>	2622
<i>Examiner Name</i>	Jason T. Whipkey
<i>Attorney Docket Number</i>	450101-02537

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.	Submission required under C.F.R. § 1.114.		
a.	<input type="checkbox"/> Previously submitted <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on July 30, 2007. (Any unentered amendment(s) referred to above will be entered)</li> <li>ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____</li> <li>iii. <input type="checkbox"/> Other _____</li> </ul>		
b.	<input checked="" type="checkbox"/> Enclosed <ul style="list-style-type: none"> <li>i. <input checked="" type="checkbox"/> Reply under 37 C.F.R. § 1.116</li> <li>ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)</li> <li>iii. <input type="checkbox"/> Information Disclosure Statement (IDS)</li> <li>iv. <input type="checkbox"/> Other _____</li> </ul>		
	<b>09/06/2007 WABDELRI 00000047 09700140</b> 01 FC:1801                                    790.00 OP 02 FC:1251                                    120.00 OP		
2.	Miscellaneous		
a.	<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103© for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)		
b.	<input type="checkbox"/> Other _____		
3.	<b>Fees</b> The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.		
a.	<input checked="" type="checkbox"/> Checks in the amounts of \$790.00 and \$120.00 are enclosed for the following: <ul style="list-style-type: none"> <li>i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)</li> <li>ii. <input checked="" type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.17)</li> <li>iii. <input checked="" type="checkbox"/> This is a Petition for a one-month extension of time. A check for \$120.00 is enclosed.</li> </ul>		
b.	<input checked="" type="checkbox"/> The Director is authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 50-0320.		
c.	<input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Mark A. Levy	Registration No. (Attorney/Agent)	45,748
Signature	September 4, 2007		

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United State Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Mail Stop RCE, Commissioner For Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	<i>Barnett Shinn</i>		
Signature	September 4, 2007		
"Express Mail" mailing label number: EV959079040US			